

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**F045094      In re Zachary F., a Minor**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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- F045094      In re Zachary F., a Minor**  
The judgment is reversed.  
By the Court.  
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F042557      People v. Escalante**  
The judgment is affirmed. Dibiaso, Acting P.J.  
We concur: Buckley, J.; Cornell, J.  
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F040649      Rezac et al. v. McCormack et al.**  
No brief having been filed by appellant after notice duly given under rule 17(a)(1) of the California Rules of Court, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.
- F045719      People v. Wilson**  
No brief having been filed by appellant after notice duly given under rule 17(a)(1) of the California Rules of Court, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.
- F043522      People v. Orovitz**  
The judgment is affirmed. Harris, J.  
We concur: Dibiaso, Acting P.J.; Buckley, J.  
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F045698      Fresno County Dept. of Children & Family Services v. Lily G. et al.**  
The petition for extraordinary writ is denied. Vartabedian, Acting P.J.  
We concur: Harris, J.; Buckley, J.  
[CERTIFIED FOR PUBLICATION]
- F041338      Cave v. California Dept. of Developmental Services**  
The judgment is affirmed. Respondent is awarded costs on appeal. Dibiaso, Acting P.J.  
We concur: Cornell, J.; Dawson, J.  
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

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Fifth Appellate District

**F044139      People v. Napoleon**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F044139      People v. Napoleon**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F043866      People v. Cartwright**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F043866      People v. Cartwright**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F043440      People v. Arellano**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

IN THE  
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**F043440      People v. Arellano**

The case is remanded for the trial court to amend the abstract of judgment to reflect that appellant's stayed prison terms on count two are 16 months for the substantive offense and three years for the arming enhancement. The court shall also correct the abstract of judgment to reflect that the stayed sentence on count three is two years. The court shall forward the amended abstract of judgment to the Department of Corrections. The judgment is otherwise affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F043319      Layne v. City of Fresno; Fresno Police Department**

The judgment is affirmed. Buckley, J.

We concur: Dibiaso, Acting P.J.; Harris, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F045016      In re Ethan N., a Minor**

Appellant's petition for rehearing filed herein is denied.

**F042769      People v. Ebaniz**

The judgment of conviction on count one, first degree murder (187), is reversed. The judgments of conviction on the remaining counts are affirmed. The district attorney shall have 30 days after the remittitur is filed in which to give notice of his intent to seek retrial on count one. If the district attorney gives such notice, the court shall proceed accordingly. If the district attorney fails to give such notice, the court shall resentence appellant on the remaining counts. Levy, Acting P.J.

We concur: Cornell, J.; Gomes, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F044130      Ringstrom v. Pivrotto**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

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**F042690      Clark-Fleming v. Fleming**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

**F045551      Liza A., et al., v. The Superior Court of Fresno County; Rhiannon H. et al.**  
**F045555      In re Rhiannon H., a Minor; Fresno County Department of Children and Family Services**

The petitions for extraordinary writ relief are dismissed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F046208      In re Daniel L., a Minor**

Appellant having filed an abandonment and/or request for dismissal of appeal, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.